

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KENNETH JACKSON,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 02-1355
)	Judge Joy Flowers Conti/
DENNIS LOGAN, STEVEN HITCHING,)	Magistrate Judge Amy Reynolds Hay
JAMES MCGEE and BRIAN)	
WEISMANTLE,)	
)	
Defendants.)	Re: Doc. #55

O R D E R

AND NOW, this 23rd day of December, 2005, after the plaintiff, Kenneth Jackson, filed an action in the above-captioned case, and after a Motion to Dismiss was submitted by defendants, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, upon consideration of the objections filed by plaintiff, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the complaint is dismissed pursuant to the screening provisions of the Prison Litigation Reform Act;

IT IS FURTHER ORDERED that the Defendants' motion to dismiss is denied as moot.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

/s/ Joy Flowers Conti
JOY FLOWERS CONTI
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

Kenneth Jackson
FX-4662
SCI Huntingdon
1100 Pike Street
Huntingdon, PA 16654-1112

Bryan Campbell, Esquire
220 Grant Street
6th Floor
Pittsburgh, PA 15219